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REMARKS

This reply is in response to the Final Office Action dated September 29, 2005. Claims 9-51 are pending in the application. Claims 21-51 have been withdrawn from consideration by the Examiner for being directed to a non-elected group. Claims 9-20 stand rejected.

Applicant has amended claim 9 as shown herein to clarify implicit aspects of the invention. Specifically, Applicant has amended claim 9 to more clearly recite that the "formable metal substrate is not shaped or formed." As such, that amendment is not in response to the cited prior art or directed to the patentability of the invention. The proposed amendment is also not intended to narrow the claims or otherwise limit the scope of equivalents thereof. Furthermore, the proposed amendment does not add new matter and does not require a further search or consideration since the term "formable" is defined in the specification at page 4. Applicant has simply amended the claim to more clearly recite the definition of the term "formable," as suggested by the Examiner. Entry of the foregoing amendment and reconsideration of the claims is respectfully requested.

Claims 9-11, 13-17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Akki et al. (US 6,020,034) in view of Ellison (US 6,399,193). Claims 12 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Akki et al. (US 6,020,034) in view of Ellison (US 6,399,193), as applied to claims 9-11, 13-17, 19 and 20 above, and further in view of Kordomenos et al. (US 4,491,641). Claims 9-11, 13-17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Akki et al. (US 6,020,034) in view of JP 03-126777 (herein referred to as Mitsui). Claims 12 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Akki et al. (US 6,020,034) in view of JP 03-126777 (herein referred to as Mitsui) as applied to claims 9-11, 13-17, 19 and 20 above, and further in view of Kordomenos et al. (US 4,491,641).

Applicant respectfully traverses the rejection on grounds that a combination of the references does not teach, show, or suggest the claimed invention. Specifically, the references, alone or in combination, do not teach, show, or suggest a formable metal substrate with the ionomer layers, wherein the formable metal substrate is not shaped or formed, as required in

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claim 9 as amended and those dependent therefrom. Withdrawal of the rejection and allowance of the claims is respectfully requested.

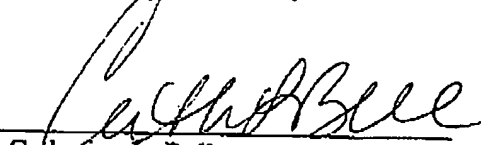
Regarding the withdrawn claims 21-51, Applicant submits that base claims 9, 21 and 35 are linked because claims 21 and 35 are drawn to methods of making the article of claim 9. Therefore, claims 21 and 35 should be examined along with claim 9. Alternatively, the restriction should be withdrawn upon the finding of allowance of claim 9, and claims 21 and 35 should be allowed as well as those dependent therefrom. See MPEP § 809.03. Consideration of base claims 21 and 35 and those dependent therefrom is respectfully requested.

The Examiner is kindly requested to confirm that the amendment made to specification on January 31, 2005, obviates the Examiner's objection to the specification. The box of item #9 on the Examiner's Office Action Summary is checked indicating that the objection still stands. Applicant submits that the objection has been obviated and requests withdrawal of the objection.

Having addressed all issues set out in the office action, Applicant respectfully submits that the pending claims are now in condition for allowance. Applicant invites the Examiner to telephone the undersigned attorney if there are any issues outstanding which have not been addressed to the Examiner's satisfaction.

Respectfully submitted,

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Date


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